

**MINUTES OF THE JOINT EXECUTIVE APPROPRIATIONS
COMMITTEE MEETING
March 7, 2011 at 4:10 P. M.
Room 445, State Capitol Complex**

Members Present:

Sen. Lyle W. Hillyard, Co-Chair
Rep. Melvin R. Brown, Co-Chair
Sen. Dennis E. Stowell, Vice Chair
Rep. John Dougall, Vice Chair
Rep. Brad L. Dee
Rep. Gregory H. Hughes
Sen. Scott K. Jenkins
Sen. Patricia W. Jones
Rep. Brian S. King
Sen. Peter C. Knudson
Rep. David Litvack
Rep. Rebecca D. Lockhart, Speaker
Sen. Benjamin M. McAdams
Rep. Ronda Rudd Menlove
Sen. Karen W. Morgan
Sen. Wayne L. Niederhauser
Sen. Ross I. Romero
Rep. Jennifer M. Seelig
Sen. Michael G. Waddoups, President
Rep. Christine F. Watkins

Staff Present:

Jonathan Ball, Legislative Fiscal Analyst
Steven Allred, Deputy Director
Greta Rodebush, Legislative Secretary
Karen Mitchell, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

A list of visitors and a copy of handouts are filed with the committee minutes.

1. Approval of Minutes

Co-Chair Hillyard called the meeting to order at 4:38 p.m. He announced that overflow seating was available in Room 450, State Capitol, and in Room 210, Senate Building. In anticipation of a call of the House or the Senate, Executive Appropriations Committee met in Room 445, State Capitol.

Co-Chair Hillyard recognized Co-Chair Brown for a motion.

MOTION: Co-Chair Brown moved to approve the minutes of the Joint Executive Appropriations Committee meeting of February 24, 2011. The motion passed unanimously with Rep. Hughes and Rep. Menlove absent for the vote.

2. **Budget Actions**

MOTION: Co-Chair Brown moved to approve the motions for appropriations subcommittees' budgets, intent language, and fees, as shown in the blue packet entitled, "Consolidated Motions for Appropriations Subcommittee" and dated today, March 7, 2011.

Co-Chair Hillyard indicated that today's motions were going to be handled globally. If anyone wanted to make a motion on separate issues, he suggested that they move to divide so that the committee could discuss those issues separately.

A vote was taken on the motion. The motion passed unanimously with Rep. Hughes absent for the vote.

MOTION: Co-Chair Brown moved to adopt the additional one-time and ongoing revenue sources as shown on the green sheet entitled, "Additional Revenue Sources, FY 2011 - FY 2012" and dated today, March 7, 2011.

President Waddoups asked what impact today's actions would have on the structural imbalance. Jonathan Ball, LFA, stated that today's actions in combination with the base budgets leave a structural imbalance of \$42.5 million. Mr. Ball understood that the EAC still had some ongoing budget issues to address.

A vote was taken on the motion. The motion passed unanimously.

MOTION: Co-Chair Brown moved to adopt the ongoing and one-time changes shown on the buff-colored packet entitled, "Proposed Funding Items, FY 2011 - FY 2012 (Additions to Base Bills)" and dated today, March 7, 2011.

Rep. Dee asked if there were any changes that had not been previously discussed. Sen. Hillyard stated that any changes that were made were discussed in caucus meetings, and that he had personally discussed those changes with the Republican and Democrat senators. Co-Chair Brown stated that this was done in the House as well.

A vote was taken on the motion. The motion passed unanimously.

MOTION: Co-Chair Brown moved to authorize legislative staff to prepare and number New Fiscal Year Supplemental Appropriations Act, Current Fiscal Year Supplemental Appropriations, and State Agency and Higher Education Compensation Appropriations as Executive Appropriations Committee bills. Staff shall include in these bills the actions of the Executive Appropriations Committee to date. In consultation with the co-chairs of the Executive Appropriations Committee, the Legislative Fiscal Analyst may make any technical changes necessary. The motion passed unanimously.

Co-Chair Hillyard recognized Rep. Litvack for a motion.

Rep. Litvack stated that he would like to include an item in H.B. 2, "Minimum School Program and Public Education Budget Amendments." He distributed a copy of his motion to committee members.

Rep. Litvack indicated that the State Board of Education currently receives \$1.2 million for gang prevention and intervention in schools. Through a competitive grant process, school districts may apply for funding. Currently, about eight school districts receive this funding. In S.B. 1, "Public Education Base Budget," the \$1.2 million and other funding were lumped into a broader category, Enhancement for At-Risk Students Program. Rep. Litvack stated that his motion reinstates the \$1.2 million for gang prevention and intervention to the State Office of Education for distribution through a competitive grant process.

MOTION: Rep. Litvack moved to approve the following insertion to H.B. 2, "Minimum School Program and Public Education Budget Amendments":

53A-17a-164 Enhancement for At-Risk Students Program.

(1) (a) Subject to the requirements of Subsection (1)(b), the State Board of Education shall distribute money appropriated for the Enhancement for At-Risk Students Program to school districts and charter schools according to a formula adopted by the State Board of Education, after consultation with school districts and charter schools.

(b) (i) The State Board of Education shall appropriate \$1,200,000 from the appropriation for Enhancement for At-Risk Students for a gang prevention and intervention program designed to help students at-risk for gang involvement stay in school.

(ii) Money for the gang prevention and intervention program shall be distributed to schooldistricts and charter schools through a request for proposals process.

(2) In establishing a distribution formula under Subsection (1)(a), the State Board of Education shall use the following criteria:

(a) low performance on U-PASS tests;

(b) poverty;

(c) mobility; and

(d) limited English proficiency.

(3) A school district or charter school shall use money distributed under this section to improve the academic achievement of students who are at risk of academic failure.

(4) The State Board of Education shall develop performance criteria to measure the effectiveness fo the Enhancement for At-Risk Students Program and make an annual report to the Public Education Appropriations Subcommittee on the effectiveness of the program.

A vote was taken on the motion. The motion passed unanimously.

3. Other Business

Co-Chair Hillyard recognized Co-Chair Brown for a motion.

MOTION: Co-Chair Brown moved to adjourn. The motion passed unanimously.

Co-Chair Hillyard adjourned the meeting at 4:47 p.m.

Sen. Lyle W. Hillyard, Co-Chair

Rep. Melvin R. Brown, Co-Chair